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APPLICATION N	10.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,061		03/25/2004	Karol Renau	RENAU-64853	8058
24201	7590	06/06/2006		EXAMINER	
	DER PAT		PASCHALL, MARK H		
6060 CEI	NTER DRI OOR	IVE		ART UNIT	PAPER NUMBER
		CA 90045	3742		
				DATE MAILED: 06/06/2000	,

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	
Office Action Commence	10/811,061	RENAU, KAROL	
Office Action Summary	Examiner	Art Unit	
	Mark H. Paschall	3742	
The MAILING DATE of this communication a	appears on the cover sheet w	ith the correspondence address	
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING  - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory perion.  - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNI 1.136(a). In no event, however, may a od will apply and will expire SIX (6) MOI tute, cause the application to become A	CATION. reply be timely filed  NTHS from the mailing date of this communication BANDONED (35 U.S.C. \$ 133).	
Status			
1) Responsive to communication(s) filed on			
_	his action is non-final.		
3) Since this application is in condition for allow	vance except for formal mat	ters, prosecution as to the merits is	5
closed in accordance with the practice unde	r <i>Ex parte Quayle</i> , 1935 C.I	D. 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) <u>1-16</u> is/are pending in the application	on.		
4a) Of the above claim(s) is/are withd	rawn from consideration.		
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>1-16</u> is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) are subject to restriction and	d/or election requirement.		
Application Papers			
9)☐ The specification is objected to by the Exami			
10) $igtimes$ The drawing(s) filed on is/are: a) $igtimes$ a	ccepted or b)  objected to	by the Examiner.	
Applicant may not request that any objection to the	• . ,	* *	
Replacement drawing sheet(s) including the corn			1).
11) The oath or declaration is objected to by the	Examiner. Note the attache	d Office Action of form P1O-152.	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreignal All b) Some * c) None of:	gn priority under 35 U.S.C.	§ 119(a)-(d) or (f).	
1. ☐ Certified copies of the priority docume	ents have been received		
2. Certified copies of the priority docume		Application No	
3. Copies of the certified copies of the pr		· ·	
application from the International Bure		3	
* See the attached detailed Office action for a li	, , , , , , , , , , , , , , , , , , , ,	received.	
Attachment(s)			

1) Notice of References Cited (PTO-892)

Paper No(s)/Mail Date \_

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)

4) Interview Summary (PTO-413)

6) Other: \_\_\_\_\_.

Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lassota in view of Payne et al-4,282,422. Lassota teaches a brewing system having multiple heating elements, as claimed, inclusive of microprocessor control to effect the temperature control. The claims set forth a processor for managing the power control within preset safety limits. Clearly the controller in Lassota does comprise the same, since control is managed and is inherently within safety limits via over temperature control. In addition the patent to Payne et al is applied for teaching power control management via microprocessor control, with the multiple heating elements supplied with heating power in a sequential and staggered manner, with the power to the individual heating elements supplied sequentially within a predetermined control period divided into a number of sequential control periods corresponding to the number of heating elements, with one effect of multiplexing the available power to each element in a staggered manner, to properly manage the power within the range of that available. In view of this teaching it would have been obvious to modify the individual heaters in the Lassota brewing machine in a sequential and staggered manner, to effect the heating control within a power range of the available power from the supply source. The Application/Control Number: 10/811,061 Page 3

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artisan would recognize the benefit achieved as comprising safe power control with that available, for motivation for this modification. As per claim 2 Lassota teaches EPROM use and the same would comprise software control. As per claim 3 note the multiple; heating elements in Lassota et al. As per claim 5, Payne et al clearly teach cycling control. As per claim 6, Payne et al supply power, or increase the power to a single heating element from zero to that supplied, sequentially, for each heating element. The limitations set froth in the method claims of 9-16, are obvious for the above reasons.

## Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Adams, Virtuous and Radar et al are cited for disclosing power control schemes of interest to the instant invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark H. Paschall whose telephone number is 703 308-1642. The examiner can normally be reached on 7am - 3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MANaly Mark H Paschall Primary Examiner Art Unit 3742

Mp



FIG. 1



